

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DALTON WALKER, JR.,

Plaintiff,

v.

United States Department of Energy,
United States Department of Health & Human Services,
United States Food and Drug Administration,

Defendants,

Case: 2:07-cv-15467
Judge: Duggan, Patrick J
Referral MJ: Majzoub, Mona K
Filed: 12-26-2007 At 01:50 PM
CMP WALKER V. US DEPT OF ENERGY, ET
AL (TAM)

COMPLAINT

FREEDOM OF INFORMATION ACT: COMPEL RELEASE OF
FILES AND RECORDS

Now comes the Plaintiff, Dalton Walker, Jr., In Pro Se. Plaintiff resides
and is now a native of the City of Detroit, County Of Wayne.

The defendants, United States Department of Energy, United States
Department of Health and Human Services and United States Food and
Drug Administration, are government agencies with headquarters in
Washington D.C.

There is no other action pending out of this transaction or occurrence alleged. Venue is proper since the Plaintiff resides in the City of Detroit and is a native of The City of Detroit, within this court district.

INTRODUCTION

Plaintiff is seeking release of files, in the custody of and is maintained by the defendants, as allowed by the *Freedom of Information Act 442 of 1976 effective April 13, 1977*, as amended in 2002. **5 U.S.C. § 552** as amended in 2002.

COUNT ONE

Plaintiff is requesting release of files and documents, in the custody of and is maintained by the defendants, as allowed by the *Freedom of Information Act 442 of 1976 effective April 13, 1977*, section 15.235, subsections (2), **5 U.S.C. § 552** as amended in 2002 section (6)(A)(i).

The defendants has failed to release records maintained by its department or agency upon request within the time prescribed by this act.

(6)(A)(i) determine within twenty days (excepting Saturdays, Sundays, and legal public holidays) after the receipt of any such request whether to comply with such request and shall immediately notify the person making such request of such determination and the reasons therefor, ...

A Freedom of Information Act request was submitted to The US Food and Drug Administration October 4, 2007. Confirmation of receipt of this request and a reference number was issued to Plaintiff October 5, 2007, *reference number 2007-9155*.

A Freedom of Information Act request was submitted to The US Department of Energy August 15, 2007 and October 13, 2007. Confirmation of receipt for the October 13, 2007 request only was issued to Plaintiff along with a reference number on October 15, 2007, *reference number FOIA-2007-000784*. No confirmation of receipt has been issued for the August 15, 2007 request.

The official who directly supervise the requested files for The US Department of Energy is Mr. Joel Rabovsky out of the Office of Health, Safety and Security.

The office that supervise the requested files inside The US Department of Health and Human Services are the Division of Physical Sciences, Office of Science and Technology, Center for Devices and Radiological Health and The US Food and Drug Administration.

COUNT TWO

Failure to comply with *Freedom of Information Act* 442 of 1976 effective April 13, 1977, section 15.235, subsection (3), **5 U.S.C. § 552**, as amended By Public Law No. 104-231 110 Stat. 3048, as amended in 2002 section (6)(A)(ii) and section (C)(i), **5 U.S.C. § 552 As Amended in 2002.**

(6)(A)(ii) make a determination with respect to any appeal within twenty days (excepting Saturdays, Sundays, and legal public holidays) after the receipt of such appeal. If on appeal the denial of the request for records is in whole or in part upheld, the agency shall notify the person making such request of the provisions for judicial review of that determination under paragraph (4) of this Subsection....

(C)(i) Any person making a request to any agency for records under paragraph (1), (2), or (3) of this subsection shall be deemed to have exhausted his administrative remedies with respect to such request if the agency fails to comply with the applicable time limit provisions of this paragraph.....

Plaintiff has not been offered any determination with respect to any appeal.

Given the Plaintiff has not received any response from either defendants, beyond the letters of confirmation and has not been offered any determination with respect to an appeal, Plaintiff alleges he has exhausted his administrative remedies which may have been afforded him, as allowed by the above section. Hence, Plaintiff can rightfully assume this judicial review is proper.

STATEMENT OF FACTS

Shortly after September 12, 2003, Plaintiff submitted a rock to The United States Food and Drug Administration for testing to determine if Plaintiff's rock emitted any type of radiation. A letter, along with an inventory of each item that accompanied this letter, was sent to the US Food and Drug Administration as well.

Prior to Plaintiff submitting his rock to The US Food and Drug Administration for testing, Plaintiff sought assistance from The US Department of Energy to find a government agency with the necessary equipment and expertise to conduct testing of his strange rock. Plaintiff's case was assigned to Mr. Joel Rabovsky in The US Department of Energy, Office of Health, Safety and Security. Mr. Rabovsky referred the Plaintiff to several other federal departments and agencies that may be of assistance. Plaintiff contacted all of the departments and agencies Mr. Rabovsky referred to him.

Finally, Mr. Rabovsky referred Plaintiff to The US Food and Drug Administration.

Upon contacting The Food and Drug Administration, Plaintiff's case was assigned to Ms. Joanne Barron, a scientist assigned to The US Food and Drug Administration, to coordinate all activities with Mr. Rabovsky. Ms. Barron instructed Mr. Rabovsky to have Plaintiff contact a Colonel in the US Department of Army to discuss testing of Plaintiff's rock.

Plaintiff contacted the Colonel he was instructed to contact and made arrangements to test Plaintiff's rock. This Colonel in the US Army informed Plaintiff that the type of testing Plaintiff was requesting required highly specialized equipment and scientists with very sophisticated knowledge of radiation. He suggested that there was a unit of the Army that did possess such equipment and scientists with the necessary expertise available to conduct this testing. This Colonel also informed Plaintiff that complete testing would be quite expensive and would require a considerable amount of time and scientific expertise. However, the US Army would be willing to conduct preliminary testing but this preliminary testing could only be done if Plaintiff was willing to pay a fee of \$3,400.00.

Plaintiff informed this Colonel that he did not have that kind of money so he would talk to Mr. Rabovsky to see if Mr. Rabovsky could assist him with payment of this \$3,400.00 through the Department of Energy.

Mr. Rabovsky told Plaintiff he could assist him but a case must be made to have his rock brought in for testing.

Ms. Barron was assigned to conduct an investigation and to make a case, if possible, to allow Plaintiff's rock to be tested.

To make the case for testing, Ms. Barron conducted an extensive interview with Plaintiff regarding his rock to determine why Plaintiff rock was special and required such testing.

In order to assist Ms. Barron in her efforts to make the case to allow testing of Plaintiff's rock, Plaintiff referred Ms. Barron to other state and federal government agencies that had conducted testing on Plaintiff's rock.

These other government and state agencies included NASA Johnson Space Center in Huston Texas, NASA John H. Glenn Research Center in Ohio and The State of Michigan Department of Environmental Quality Waste and Hazardous Material Division, in conjunction with the Nuclear Regulatory Commission Region III.

Plaintiff was told by Ms. Barron and Mr. Rabovsky that the above mentioned agencies and departments would be consulted about his rock and these agencies and departments must concur that his rock was strange and unusual and should be considered for testing by the US Army.

After a complete investigation by Ms. Barron, the case was made to send Plaintiff's rock to the US Army for testing if Mr. Rabovsky could get approval from the Department of Energy to satisfy the request of the US Army for the fee of \$3,400.00 to conduct testing.

Mr. Rabovsky told Plaintiff he would contact Ms. Barron and make arrangements to satisfy any concerns regarding the \$3,400.00. Testing was scheduled and Ms. Barron informed Plaintiff testing would last approximately three weeks.

Testing was conducted between the period of September 12, 2003 a Friday and September 29, 2003 a Monday. A total of three weeks.

Upon completion of testing, Plaintiff was informed by Ms. Barron that she possessed all of the original test results from testing. Ms. Barron also informed Plaintiff Mr. Rabovsky was sent a complete copy of all original test results in her possession.

Upon completion of testing, Plaintiff rock was returned to him along with several sheets of paper that had on them what looked like test results.

Plaintiff had these documents reviewed and found what looked like test results, appeared to be inconclusive findings.

Mr. Rabovsky and Ms. Barron has refused to allow Plaintiff to review all of the test results in their possession or review any files associated with the testing of his rock.


CONCLUSION

Wherefore, Plaintiff pray this honorable court compel defendants to release any and all files and documents associated with the testing of Plaintiff's rock. Compel the release of any and all files or documents submitted from any government agency, any state agency or any private agency to make the case to allow Plaintiff's rock to be tested. Compel the release of any and all files or documents that show who conducted testing. Compel the release of any and all files or documents that show a particular test or tests were conducted, equipment used and methods used to conduct testing. Compel defendants to release any and all files and documents that show the location or locations of any and all testing.

Further to this, any and all files that show the location or locations of where files were distributed after testing was complete. Compel the release of any and all files and documents showing test results, even if those test results showed there was no radiation and Plaintiff's rock is safe to be exposed to the public.

Finally, compel the release of any and all files and documents, compiled or accumulated before, after or during the investigation of Plaintiff's rock, regarding any personal background data on Plaintiff, i.e , any background investigations. Assuring Plaintiff there are no secret files kept on Plaintiff or Plaintiff's rock.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Dalton Walker, Jr.', is written over a horizontal line.

Dalton Walker, Jr.,
Plaintiff, In Pro Se
19531 Lyndon
Detroit, Michigan 48223
313-835-1455

Dated: December 26, 2007

EXHIBIT A



DEPARTMENT OF HEALTH & HUMAN SERVICES

Food and Drug Administration
Rockville MD 20857

November 3, 2003

Dalton Walker, Jr.
19531 Lyndon
Detroit, Michigan 48226

Dear Mr. Walker:

Regarding your letter to the Department of Health and Human Services, Office of the Secretary, dated October 2, 2003

Your letter alleges that employees of the Food and Drug Administration (FDA) lied to you and falsified test results, specifically tests for non-ionizing radiation on two rock samples submitted by you to FDA. However, we believe that you misunderstood the results presented to you and that you did not give Ms. Barron the opportunity to explain the misunderstanding during the telephone conversation on September 25.

Ms. Barron spoke with you on numerous occasions over several months and made several calls on your behalf to the Department of Army and others to arrange testing of your rocks for non-ionizing radiation emissions. When those arrangements did not materialize, Mr. James agreed to test the rocks at the FDA laboratory. At your request, Ms. Barron coordinated all activities with Joel Rabovsky at the Department of Energy. Mr. James tested the two rock samples at your request as a favor to you even though it is not FDA's responsibility or jurisdiction to do so. He did not test the rocks under the supervision of Joel Rabovsky.

Your September 12 letter requested that Mr. James test for non-ionizing radiation, specifically "ultra violet and visual radiation. More specific, non-ionizing radiation which is stimulative in visual and infra-red." Mr. James' measurements utilized state-of-the-art optical radiation detectors (thermal camera, ultraviolet-visible spectrometer, and picowatt power meter) which are extremely sensitive to these radiation wavelengths. Mr. James found no evidence of ultraviolet, visible, or infrared radiation being emitted from the rock samples.

Mr. James did forward copies of your letter of September 12, along with all attachments, to Ms. Barron and Joel Rabovsky. He did not refuse to do so as implied by you. Nor, has Mr. James refused to distribute test results to anyone, also implied by you.

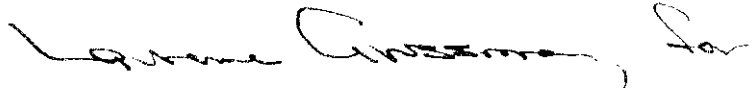
Finally, Mr. James returned the rock samples to you in the same condition as received - wrapped in aluminum foil. No implication of hazard can be made from this.

Page 2

The test results Mr. James sent you are not falsified. They clearly show that the rocks do not emit non-ionizing ultraviolet, visible, or infrared radiation. The test results you included in your September 12 letter indicate that the rocks were exposed to infrared radiation to determine chemical composition – not that the rocks emit such radiation. Therefore, the test results are not in conflict.

We apologize for the misunderstanding.

Sincerely yours,

A handwritten signature in black ink, appearing to read "William A. Herman, Director". The signature is fluid and cursive, with a large initial "W" and a distinct "H".

William A. Herman, Director
Division of Physical Sciences
Office of Science and Technology
Center for Devices and Radiological Health

EXHIBIT B

September 26, 2003

Dalton Walker, Jr.
19531 Lyndon
Detroit, Michigan 48223

Mr. Walker -

We are returning your two rock samples, along with containers, paperwork, and packing materials. You requested that we test for ultraviolet, visual, and infrared radiation.

We examined the rock samples at a variety of angles with a thermal camera, which is sensitive to infrared radiation over the wavelength range 1-12 micrometers. The results indicated that no infrared radiation was being emitted from the samples. A printout of several images is enclosed. The left hand row is as follows: top - large sample, position one; middle - small sample, position 1; bottom - small sample, position 2 rotated. Center top - large sample, position 2 rotated. Bottom right - large sample, smooth side.

We also examined the rock samples at a variety of angles with an ultraviolet-visible-near infrared spectrometer which is sensitive to radiation over the wavelength range 200 - 900 nanometers. The results indicated that no radiation was being emitted from the samples. A spectral scan printout of selected scans (showing nothing above background) is enclosed.

Finally, we examined the rock samples at a variety of angles with a picowatt power meter, sensitive to extremely low levels of visible and near infrared radiation. We detected no radiation above background levels.

Robert H. James
Chief, Electro-Optics Branch
Center for Devices and Radiological Health

EXHIBIT C

PSITP-4

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173-0270-3-001-37-

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EXHIBIT D

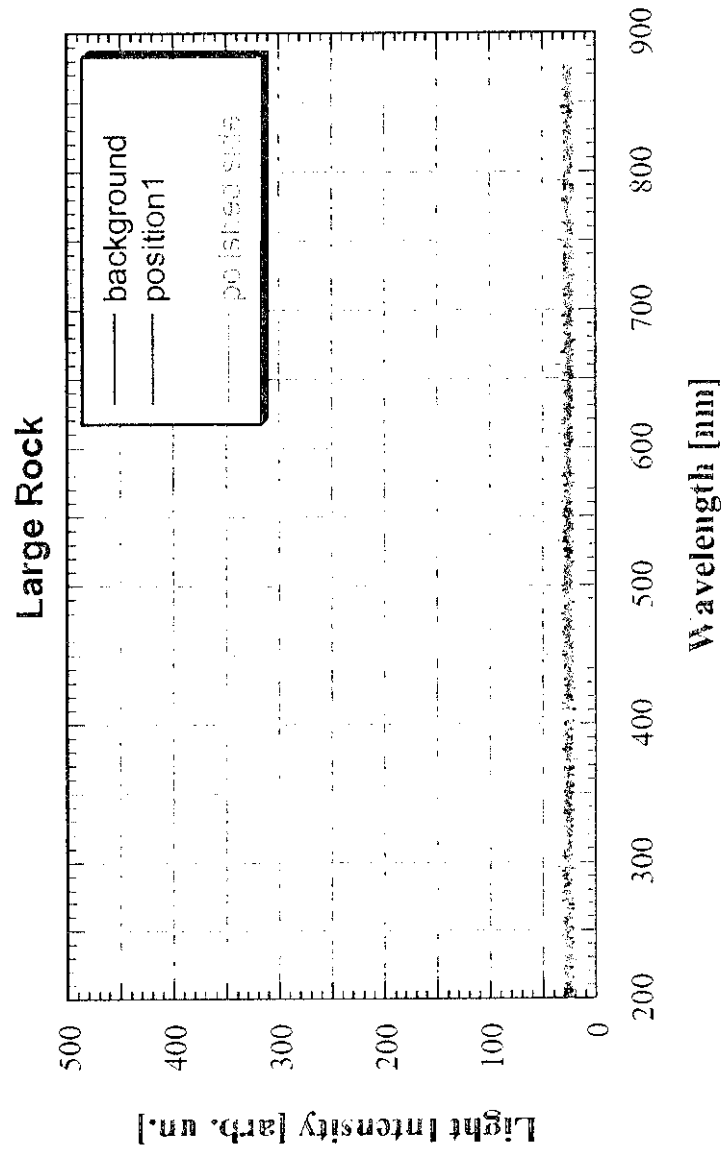


EXHIBIT E

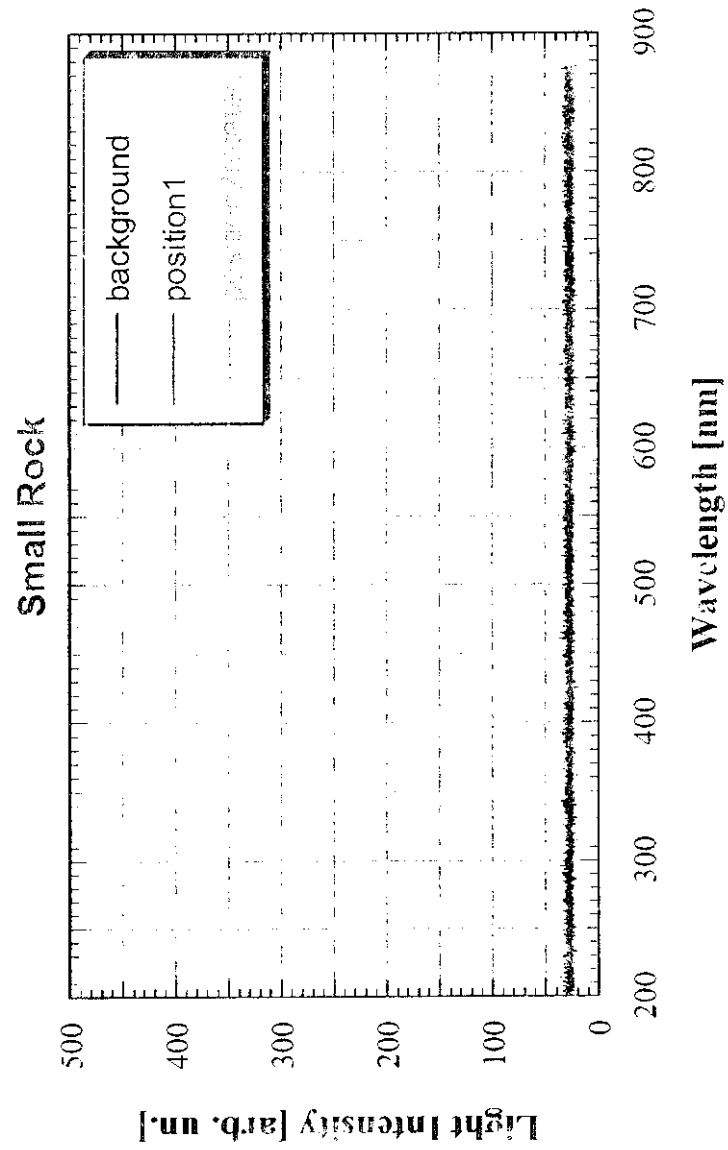


EXHIBIT F

FROM: DALTON WALKER, JR.
19531 LYNDON
DETROIT, MICHIGAN 48223
313-835-1455

September 12, 2003

TO: MR. BOB JAMES
FDA
ROOM 265
12725 TWINBROOK PARK WAY
ROCKVILLE, MARYLAND 20852

JOANN BARRON
FDA
301-594-4654

Re: Two pieces of rock material submitted for radiation examination.

Enclosed is one large rock sample and one smaller thinner rock sample. I respectfully ask that you examine these samples for suspect non-ionizing radiation.

If you would, please test for non-ionizing radiation (coming out), ultra violet and visual radiation. More specific, non-ionizing radiation which is stimulative in visual and infra red.

I am seeking your assistance to determine how dangerous is this radiation!! This is of the highest priority for me!! I am constantly exposed to this radiation and I am very concerned about my health and safety, as well as the health and safety of my family, as a result of constant exposure. If this radiation is dangerous, I ask that you give me some guidance on how to protect myself and anyone else who may be exposed to this radiation.

I always keep both pieces of rock material inside a case. I strongly recommend that anyone handling this rock material take particular care to store it in some kind of closed structure when not examining it. Be extremely cautious handling this material when it is exposed to water. Do not consume any water exposed to this material!!

It is strongly recommended that no one expose this rock material to skin or any cell structure longer than 15 minutes, 20 minutes maximum. The effects of this radiation may not be readily apparent if skin or cell structures are exposed longer than 15 or 20 minutes. There appears to be a point of no return once over exposure occur. Once this radiation has entered a structure, its advancing appears to stop once the exposed area is disengaged, but it appears to kill all cell structures that were exposed. Constant exposure over days appears to mummify a cell structure.

If a cell structure or skin is cold or below 35 degrees, and this skin or cell structure is exposed to this rock material, it could cause pain or possible permanent damage. It is recommended to use extreme caution when handling this rock material in a confined space in temperatures below 30 degrees Fahrenheit.

Caution should be used when exposing this rock material to any chemical that is light or gives off any kind of chemical reaction. Such chemical exposure could cause this rock material to produce and dispense a deadly gas or other unknown effects, possibly deadly.

Enclosed in this package is the glass container I kept the bigger rock. I ask that you examine this glass structure. This has been the home of this rock since August 2000. You should note melting along the closed end.

The smaller rock material piece is always kept in the enclosed jewelry box. It too shows the same signs of melt around the box. This radiation causes plastic to become brittle as it does with glass.

I have conducted several experiments, these are the results:

This radiation melts glass with no heat. It takes four to six months to notice glass melting. This radiation is present and active every minute of the day and night.

This radiation passes through solid objects, glass, plastic and water.

The pattern of glass melting appears to suggest a beam of radiation projected from the cut surface of both pieces of rock material. This beam is a band that is approximately 3/4 inch in width and appears to have an undetermined outward length projection.

When ordinary, clear color, non-toxic wood glue is exposed to the rock material as it is enclosed in an anaerobic environment, this radiation beam will increase in intensity. When intensified, insects will be killed instantly inside the width of this beam. This is the only time I can get ice to stop melting inside of the beam. When intensified, this radiation will react to everything exposed to it. The reaction to some objects may not be visually noticeable. Reactions can be unpredictable because these reactions may vary according to the object this beam is exposed to.

This radiation beam should not be the only molecular movement you note. The melting of the glass appears to suggest there are multiple patterns of molecular movement, some appear to be very complicated.

My research suggest aragonite is very unstable on the earth surface. I strongly suggest that you use extreme caution when exposing this rock to any volatile substance, particularly acids!!

OXYGEN APPEARS TO BE "FAIL SAFE" TO NEUTRALIZE THIS RADIATION, AT THIS POINT IN TIME. This radiation appears to automatically decrease in its intensity and effects on objects when exposed to oxygen.

In sum, I have conducted experiments which demonstrated that this radiation kills insects. Mummify insect bodies after two to four days of constant exposure. Leaves soaked in water roll up after about 15 minutes of exposure. Leaves progressively change color starting at the leaf tip and gradually move toward the stem killing the cell structure, this process takes about four months to complete. A vacuum is produced after about four days of initial exposure to the clear wood glue. This vacuum is key to intensifying the radiation.

Please review the enclosed pictures. I was told that this rock material may be producing an "electrical inversion", where molecular movement exit on one side of the rock then re-enter the other side, possibly producing a homostatic state. If this is true, Then would interrupting this inversion cause some sort of deadly chain reaction???

The purpose of this letter is only to inform you of some of the experiences I have had conducting unscientific experiments. I am not a scientist and I have no scientific accumulated knowledge. All of the information I know about this rock was gained through research.

I ask that I be notified of your test results as soon as possible, particularly if you should find this radiation to be extremely dangerous. It should go without saying, I eagerly await your results.

It is understood that this examination is only for detecting and identifying suspect non-ionizing radiation. Therefore, it is understood that no rock material sample will be taken from either piece and there is to be no physical penetration of any kind, anywhere on the surface of the larger piece or smaller piece.

Since these two pieces of rock material are being submitted only to examine suspect non-ionizing radiation, I ask that all items submitted with this letter be returned, within a reasonable period of time, upon demand by myself, Joel Rabovsky, Department of Energy or Joann Barron, FDA.

I can be contacted any time, day or night, for any questions or concerns any party may have.

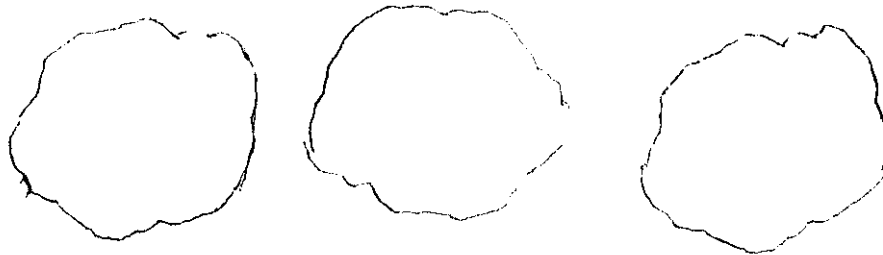
Please forward a copy of this letter to Joann Barron and Joel Rabovsky for their review.

MR. JAMES, THANK YOU FOR YOUR MOST VALUABLE ASSISTANCE!
Dalton Walker, Jr.
313-835-1455

THE FOLLOWING ITEMS ARE INCLUDED IN THIS PACKAGE:

- 1.) GLASS VASE APPROXIMATELY 10 3/4 INCHES TALL
APPROXIMATELY 3 1/2 INCHES IN DIAMETER.
- 2.) LARGE ROCK SAMPLE
- 3.) SMALL THIN ROCK SAMPLE
- 4.) 3 1/2 INCH X 1 INCH JEWELRY BOX
- 5.) COPY OF INFRA RED REPORT
- 6.) COPY OF CHARGED DENSITY REPORT.
- 7.) 12 PHOTOGRAPHS

NO PHYSICAL SAMPLE IS REQUIRED FROM EITHER THE LARGE OR SMALL ROCK. BELOW IS THE ACTUAL SIZE OF THE SMALL THIN SAMPLE:



IT IS IMPORTANT THAT YOU KEEP THIS SAMPLE STORED IN A CLOSED CONTAINER WHEN NOT EXAMINING IT.

CIVIL COVER SHEET

County in which this action arose Wayne

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

Dalton Walker, Jr.

(b) County of Residence of First Listed Plaintiff Wayne
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)
19531 Lyndon Detroit, Michigan 48223 313-835-1455

DEFENDANTS

United States Department of Energy
United States Department of Health and Human Services
United State Food and Drug Administration

County of Residence of First Listed Defendant Washington D.C.
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Select One Box Only)

- ☐ 1 U.S. Government Plaintiff
☒ 2 U.S. Government Defendant
☐ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Select One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|----------------------------|---|----------------------------|---------------------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Select One Box Only)

CONTRACT	TORTS	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition

Case: 2:07-cv-15467
Judge: Duggan, Patrick J
Referral MJ: Majzoub, Mona K
Filed: 12-26-2007 At 01:50 PM
CMP WALKER V. US DEPT OF ENERGY, ET AL (TAM)

TATUTES

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LABOR	SOCIAL SECURITY	FEDERAL TAX SUITS
<input type="checkbox"/> 690 Other <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input checked="" type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes

V. ORIGIN

(Select One Box Only)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from another district (specify)
☐ 6 Multidistrict Litigation
☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
Freedom of Information Act

Brief description of cause:

Compel release of documents and files

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

December 23, 2007

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

PURSUANT TO LOCAL RULE 83.11

1. Is this a case that has been previously dismissed?

☐ Yes

☐ No

If yes, give the following information:

Court: N/A

Case No.: N/A

Judge: N/A

2. Other than stated above, are there any pending or previously discontinued or dismissed companion cases in this or any other court, including state court? (Companion cases are matters in which it appears substantially similar evidence will be offered or the same or related parties are present and the cases arise out of the same transaction or occurrence.)

☒ Yes

☐ No

If yes, give the following information:

Court: US DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIV

Case No.: 03-70059

Judge: Hon VICTORIA A. ROBERTS

Notes :
